

UNITED STATES BANKRUPTCY COURT
DISTRICT OF RHODE ISLAND

**CLERK'S OFFICE'S WRITTEN POLICY ON IMPOSITION
OF SEARCH FEES FOR REQUESTS FOR INFORMATION**

Generally, all documents filed in a bankruptcy case and the dockets of a bankruptcy court are public records. 11 U.S.C. § 107(a). However, item (5) of the Judicial Conference Schedule of Fees, see 28 U.S.C. § 1930(b), requires that a fee be assessed: “[f]or every search of the records of the bankruptcy court conducted by the clerk of the bankruptcy court or a deputy clerk, ~~\$20~~ **\$26** per name or item searched.”

The following policy guidelines govern the imposition of this fee in the U.S. Bankruptcy Court for the District of Rhode Island, and to the extent applicable, are in accordance with the Guidelines adopted by the Judicial Conference of the United States:

1. NO SEARCH FEE IS CHARGED FOR THE RETRIEVAL OF BASIC INFORMATION READILY OBTAINED THROUGH AN AUTOMATED DATABASE OR THE FRONT OF A HARD DOCKET CARD. HOWEVER, WHERE VCIS IS AVAILABLE, A TELEPHONE REQUESTER MAY BE REFERRED TO THIS AUTOMATED DATABASE TO OBTAIN SUCH INFORMATION.
2. A SEARCH FEE SHALL BE CHARGED WHENEVER A PHYSICAL SEARCH OF THE COURT’S RECORDS IS REQUIRED, i.e., ANY REQUEST FOR COPIES OF PETITIONS, SCHEDULES OR OTHER DOCUMENTS THAT REQUIRE A CLERK TO LOCATE AND PHYSICALLY SEARCH THE FILE FOR THE REQUESTED INFORMATION. THE ONLY ENTITIES EXEMPT FROM THE IMPOSITION OF THIS FEE ARE FEDERAL AGENCIES, AND ONLY WHEN SUCH INFORMATION IS NOT OTHERWISE AVAILABLE THROUGH ELECTRONIC ACCESS. CASE TRUSTEES ARE NOT EXEMPT FROM THE IMPOSITION OF THIS SEARCH FEE. IN ADDITION TO THE SEARCH FEE, THE STANDARD \$.50 CENT REPRODUCTION FEE SHALL ALSO BE CHARGED FOR EACH PAGE COPIED, WHICH CHARGE IS APPLICABLE TO ALL ENTITIES EXCEPT FEDERAL AGENCIES.
3. ANY WRITTEN SEARCH REQUEST THAT REQUIRES A

RESPONSE IN WRITING IS SUBJECT TO THE ~~\$20.00~~ **\$26.00** SEARCH FEE. THE SEARCH FEE MUST BE INCLUDED WITH THE REQUEST IN ORDER TO PROCESS IT.

4. A REQUEST FOR ARCHIVED DOCUMENTS DOES NOT REQUIRE A ~~\$20~~ **\$26** SEARCH FEE, BUT DOES REQUIRE A ~~\$35~~ **\$45** ARCHIVE RETRIEVAL FEE.

5. AT ALL TIMES, THE CLERK OF COURT HAS GENERAL AUTHORITY TO REFUSE TO CONDUCT SEARCHES WHICH ARE UNREASONABLE OR UNDULY BURDENSOME.

6. THE CLERK'S OFFICE MAY BE CALLED TO FIND OUT IF THE INFORMATION SOUGHT REQUIRES A FEE. IF A FEE IS DUE, IT MUST BE PAID IN ADVANCE. COURT USERS CAN AVOID A SEARCH FEE BY COMING TO THE CLERK'S OFFICE, OBTAINING THE FILE, AND FINDING THE DESIRED INFORMATION ON THEIR OWN.

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Last revised 12/1/03

Susan M. Thurston
Clerk, US Bankruptcy Court